

ORIGINAL

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**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

SHIN-EI BOEKI, LTD.

v.

SCOTT KAJIYA, MICHAEL W. BINGHAM,
CARY BRIGGS, SIGN LANGUAGE EYEWEAR,
INC. d/b/a SIGN LANGUAGE HABITAT,
and Si SCOOTER WORKS, INC.

CIVIL ACTION

NO. 1:00-cv-02241

(Judge Kane)

FILED
HARRISBURG PA

MAY 02 2003

MARY E. WANDER, CLE

**RESPONSE OF PLAINTIFF SHIN-EI BOEKI, LTD. TO
ORDER TO SHOW CAUSE DATED APRIL 25, 2003**

Plaintiff Shin-Ei Boeki, Ltd., by and through its undersigned attorneys, states the following in response to the April 25, 2003 Order to Show Cause why this case should not be reassigned to Judge Kane for the reason that there is not 28 U.S.C. §636(c) consent of all of the parties:

1. Plaintiff does not oppose the reassignment of this civil action to Judge Kane for the reason that there is not 28 U.S.C. §636(c) consent of all of the parties.
2. On or about April 25, 2003 plaintiff filed a motion to dismiss all claims and counterclaims pursuant to Fed. R. Civ. P. 41(a)(2).
3. As of this date, defendant Scott Kajiya has consented to the above-referenced motion to voluntarily dismiss this civil action. Mr. Kajiya is the only other party to this civil action presently represented by counsel.

4. Plaintiff respectfully submits that no opposition to the pending motion is likely as there has been no participation initiated by the unrepresented defendants in more than one year.

WHEREFORE, plaintiff Shin-Ei Boeki, Ltd. respectfully seeks entry of an order consistent with United States Magistrate Judge Smyser's April 25, 2003 show cause order reassigning the above-captioned civil action to Judge Kane.

Respectfully submitted,

SILVERMAN BERNHEIM & VOGEL

By: _____


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